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Dated: _____ Signature: _____
(Christopher Willink)

PATENT
Docket No. 435712003521

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MAR 05 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Thomas KEAST

Serial No.: 10/079,605

Filing Date: 02/21/2002

For: DEVICES FOR APPLYING ENERGY
TO TISSUE

Examiner: A. Roane

Group Art Unit: 3739

OFFICIAL

INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/946,706, filed 9/4/2001, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. § 1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(c) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 502,709 referencing (435712003521). However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 05, 2004

Respectfully submitted,

By: Sanjay S. Bagade
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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1448/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 2

Complete if Known

Application Number	10/079,605
Filing Date	02/21/ 2002
First Named Inventor	Thomas KEAST
Art Unit	3739
Examiner Name	A. Roane
Attorney Docket Number	43571200321

Examiner Initials*	Cite No. ¹	U. S. PATENT DOCUMENTS		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Document Number	Publication Date MM-DD-YYYY		
		Number*Kind Code ² (if known)			
	1	US- 4,936,281	06/26/90	Stasz	
	2	US- 5,334,183	08/02/94	Wuchinich	
	3	US- 5,454,809	10/03/95	Janssen	
	4	US- 5,588,432	12/31/96	Crowley	
	5	US- 5,736,642	04/07/98	Yost et al.	
	6	US- 5,971,980	10/26/99	Sherman	
	7	US- 6,004,269	12/21/99	Crowley, et al.	
	8	US- 6,117,101	09/12/00	Diederich et al.	
	9	US- 6,165,127	12/26/00	Crowley	
	10	US- 6,245,020	06/12/01	Moore et al.	
	11	US- 6,394,956	05/28/02	Chandrasekaran et al	
	12	US- 6,514,249	04/02/03	Maguire	
	13	US- 6,629,951	10/07/03	Laufer et al.	
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Examiner Initials*	Cite No. ¹	FOREIGN PATENT DOCUMENTS		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Foreign Patent Document	Publication Date MM-DD-YYYY			
		Country Code ³ * Number * Kind Code ⁴ (if known)				

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket Number	435712003521

[illegible][illegible]

Date	
Considered	

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